



Docket No.: FAPESP 203
(PATENT)

#21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Patent Application of:
Dr. Adilson LEITE

SEP 28 2004

Application No.: 09/870,498

Group Art Unit: 1654

Filed: June 1, 2001

Examiner: Louise Leary

For: ANTIMICROBIAL PEPTIDES AND
METHODS FOR IDENTIFYING AND
USING SUCH PEPTIDES

OFFICE OF PETITIONS

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner of Patents
P. O. Box 1450
Alexandria, VA

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed concurrently with a Request for Continued Prosecution and a Petition Under 37 C.F.R. 1.313(c)(2).

The following is a list of documents cited in the related foreign application, including the category of the document and the claims, as originally filed, to which the references relate as recited in the search report:

| Document with indication, where appropriate, of relevant passages | Category | Relevant to claims |
|---|----------|--------------------|
| WO 02/090503, (Scripps Research Inst.) 14 Nov. 2002, *page 48, line 31- page 54, line 19* | E | 1, 3, 4 |
| Da Silva A, Jr. <i>et al.</i> "Avian Anticoccidial Activity of a Novel Membrane-Interactive Peptide Selected from Phage Display Libraries" Molecular and Biochemical Parasitology V.120 (Mar. 2002) pages 53-60, *the whole document* | P, X | 1-4 |
| Christensen D. J. <i>et al.</i> "Phage Display For Target-Based Antibacterial Drug Discovery" Drug Disc. Today V. 6 (14) July 2001, *the whole document* | P, Y | 1-4 |
| Benson R.E. <i>et al.</i> "Intercellular Validation of Surrogate Ligands For Antimicrobial Drug Discovery" Abstract of the General Meeting of the American Society for Microbiology V.101 May 2001, pages 536-537, *the whole document* | Y | 1-4 |
| WO 00/23465 (Gyuris Jeno) 27 Apr 2000, *page 2, line 5 – page 3, line 26; figure 6, page 6 line 25-page 8, line 2* | Y | 1-4 |
| Database EMBL 'Online! 12 aa 21 June 2002 "Sequence 2 from patent WO 0234789 retrieved from EBI Database accession no AXA429444, cited to provide information on the relevant sequence disclosed in WO 0234789 | L | |
| WO 02/34789 (Biomerieux SA) 2 May 2002, Sequence 2, *Figure 1* | P, X | 29 |
| Jolivet-Reynaud C. <i>et al.</i> "Localization of Hepatitis B Surface Antigen Epitopes Present on Variants and Specifically Recognised by Anti-Hepatitis B Surface Antigen Monoclonal Antibodies" J Med. Virol. V.65, Oct 2001 *Figure 1* | P, X | 29 |
| WO 99/36081 UAB Research Foundation 22 Jul 1999, *claim 1* | A | 1-4 |
| Tinoco LW. <i>et al</i> "NMR Structure of PW2 Bound to SDS Micelles" J. Biol. Chem. V.277(39) pages 36351-36356 *the whole document* | T | |

The categories recited above correspond to:

- A: technological background
- E: earlier patent document, but published on, or after the filing date
- L: document cited for other reasons
- P: intermediate document
- X: particularly relevant if taken alone
- Y: particularly relevant if combined with another document of the same category
- T: theory or principle underlying the invention

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A copy of each reference on PTO/SB/08A is attached.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375.

Dated: September 23, 2004

Respectfully submitted,

By 
Mary Anne Schofield
Registration No.: 36,669

FULBRIGHT & JAWORSKI L.L.P.
Market Square
801 Pennsylvania Avenue, N.W.
Washington, DC 20004-2615
(202) 662-0200
Attorneys for Applicant